

**REMARKS**

Currently, claims 1-42 are pending in this application.

Restriction to one of the following inventions was required as indicated on page 2 of the outstanding Restriction Requirement. In order to be fully responsive, Applicants hereby elect Group I, encompassing claims 1-9 and 19-26, drawn to modified IgG and pharmaceutical compositions comprising said IgGs, with traverse.

With respect to the division of the claimed invention into four groups and the reasons stated therefor, Applicants respectfully traverse. Even assuming, *arguendo*, that Groups I-IV represented distinct and independent inventions, Applicants point out that restriction amongst these groups remains improper unless it can be shown that the search and examination of both groups would entail a "serious burden" (*see* MPEP § 803). Specifically, Applicants respectfully submit that Groups I and III should be examined together.

Applicants submit that a search of nucleic acid claims of the invention would provide useful information for examining claims directed to both nucleic acids and the IgG polypeptides encoded by these nucleic acids. In certain claims this is especially true because the nucleic acids of these claims is defined in part by the polypeptide that the nucleic acids encodes. Further, many if not most publications, where a published nucleic acid sequence is an open reading frame, the authors also include, as a matter of routine, the deduced amino acid sequence of the encoded polypeptide.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the restriction requirement, particularly as it relates to the separation of Groups I and III, and examine the subject matter of Groups I and III together in the present application.

Further, Applicants acknowledge the Examiner's statement that the restriction requires restriction between product and process claims, particularly the claims encompassed in Groups I and III (product) with the claims encompassed in Group II

and/or the claims in Group IV. Applicants hereby respectfully request that where the product claims are found allowable, any withdrawn process claims that depend therefrom or otherwise include all the limitations of the allowable product claim will be rejoined in accordance with the provisions of MPEP section 821.04.

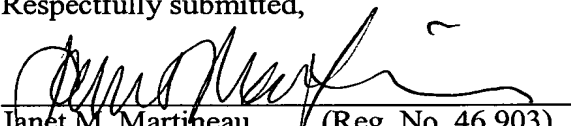
Applicants respectfully retain the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

***Conclusion***

Applicants respectfully request that the above-made remarks be entered and made of record in the file history of the instant application. If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136 that is not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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